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Attorney Docket No. 337348021US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: GLINER ET AL.

APPLICATION No.: 09/978,134

FILED: OCTOBER 15, 2001

FOR: **SYSTEMS AND METHODS FOR
AUTOMATICALLY OPTIMIZING STIMULUS
PARAMETERS AND ELECTRODE
CONFIGURATIONS FOR NEURO-
STIMULATORS**

EXAMINER: R. D. BRADFORD

ART UNIT: 3762

CONF. No: 4196

Resubmission of Information Disclosure Statement
Filed on January 27, 2005

Sir:

The enclosed Information Disclosure Statement (IDS) was filed with the U.S. Patent and Trademark Office on January 27, 2005 for the above-referenced application.

Applicants hereby resubmit a copy of the previously filed IDS and cited references for official consideration, along with a copy of the Return Receipt Postcard with a date stamp from the USPTO indicating that the subject IDS was received on January 27, 2005 and therefore before the date of the Final Office Action in this case. Applicants respectfully request that the Examiner initial the references listed on the enclosed Form PTO/SB/08, and request that this submission be made part of the official record.

No fees are believed due because this is a resubmission of a previous filing. However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-0665. If the Examiner has any questions, he is requested to contact John M. Wechkin at (206) 359-3257.

Respectfully submitted,
Perkins Coie LLP

John M. Wechkin
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Date: Jan. 23, 2006

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Inventor: Gliner et al.

Atty Docket No.: 337348021US

Application No.: 09/978,134-Conf. #4196

Filing Date: October 15, 2001

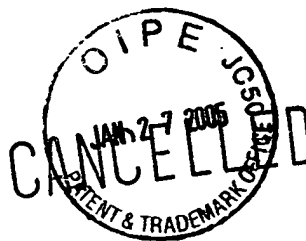
Title: SYSTEMS AND METHODS FOR AUTOMATICALLY OPTIMIZING STIMULUS
PARAMETERS AND ELECTRODE CONFIGURATIONS FOR NEURO-
STIMULATORS

Documents Filed:

PTO/SB08 (2 sheets)

Information Disclosure Statement (2 pages)

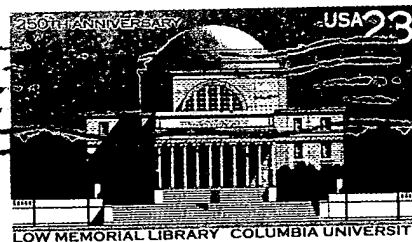
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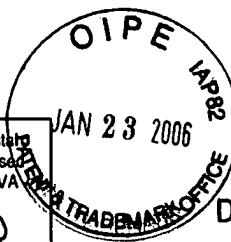


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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV342447322US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 1/27/05 Signature: Melody Almberg
(Melody Almberg)



Docket No.: 337348021US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Design Application of:
Gliner et al.

Application No.: 09/978,134

Confirmation No.: 4196

Filed: October 15, 2001

Art Unit: 3762

For: SYSTEMS AND METHODS FOR
AUTOMATICALLY OPTIMIZING
STIMULUS PARAMETERS AND
ELECTRODE CONFIGURATIONS FOR
NEURO-STIMULATORS

Examiner: R. D. Bradford

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

02/03/2005 BABRAHA1 00000034 09978134

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Copies of the references on the PTO/SB/08 are not provided. The references in the attached form PTO/SB/08 are not supplied because they were previously cited by or submitted to the Office in a prior application number 09/802,808, filed March 8, 2001 and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0665, under Order No. 337348021US. A duplicate copy of this paper is enclosed.

Dated: January 27, 2005

Respectfully submitted,

By P. T. Parker

Paul T. Parker

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PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
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Substitute for form 1449A/B/PTO			Complete If Known		
			Application Number	09/978,134-Conf. #4196	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Filing Date	October 15, 2001	
			First Named Inventor	Bradford E. Gliner	
			Art Unit	3762	
			Examiner Name	R. D. Bradford	
Sheet	1	of	3	Attorney Docket Number	337348021US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)	MM-DD-YYYY		
		US-2003-0149457-A1	08-07-2003	Tcheng et al.	
		US-2003-0187490	10-02-2003	Gliner	
		US-2004-0138550-A1	07-15-2004	Andreas Hartlep	
		US-2004-0158298	08-12-2004	Bradford Gliner	
		US-4,431,000	12-14-1984	Butler et al.	
		US-5,314,458	05-24-1994	KHALIL NAJAFI	
		US-6,366,813	04-02-2002	DiLorenzo	
		US-6,405,079	06-11-2002	Mehdi Ansarinia	
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		US-6,795,737-A1	09-21-2004	Gary King	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁴
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
		EP-EP 0 998 958-A2	10-05-2000	Medtronic, Inc.		
		EP-EP 1 145 736	10-17-2001	Neuropace		
		WO-01/97906	12-27-2001	Advanced Bionics Corp		
		WO-03/043690	05-30-2003	Vertis Neuroscience, Inc.		
		WO-02/09811	02-07-2002	Neuropace, Inc.		
		WO-98/06342	02-19-1998	Neotonus, Inc.		
		WO-03/082402	03-26-2003	Vertis Neuroscience, Inc.		
		WO-02/36003	05-10-2002	Neuropace, Inc.		
		WO-95/21591	08-17-1995	University of Iowa Research Foundation		
		WO-02/38031	05-16-2002	Neuropace, Inc.		

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		BENABID, A.L. et al, "Chronic electrical stimulation of the ventralis intermedius nucleus of the thalamus as a treatment of movement disorders," J. Neurosurg., April 1997, 86(4); 737; http://www.ncbi.nlm.nih.gov ; [accessed 11/18/2003]	
		HUMMEL, Friedrich et al., "Effects of non-invasive cortical stimulation on skilled motor function in chronic stroke," Brain Advance Access, January 5, 2005, pp 1-10, Brain	
		International Search Report for Application No. PCT/US02/07077; Applicant: Vertis Neuroscience, Inc., October 22, 2002, 7 pgs.	
		International Search Report for PCT/US02/31112; December 2002; Applicant: Vertis	
Examiner Signature		Date Considered	



PTO/SB/08a/b (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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		Art Unit	3762		
		Examiner Name	R. D. Bradford		
Sheet	2	of	3	Attorney Docket Number	337348021US

	Neuroscience, Inc. (7 pgs)	
	International Search Report for PCT/US02/31127; July 2003; Applicant: Vertis Neuroscience, Inc. (3 pgs)	
	International Search Report for PCT/US02/31128; September 2002; Applicant: Vertis Neuroscience, Inc. (6 pgs)	
	International Search Report for PCT/US03/03678; July 2003; Applicant: Northstar Neuroscience, Inc. (4 pgs)	
	International Search Report for PCT/US03/39077; May 2004; Applicant: Northstar Neuroscience, Inc. (3 pgs)	
	International Search Report for PCT/US03/39078; May 2004; Applicant: Northstar Neuroscience, Inc. (5 pgs)	
	LANG, Nicolas et al., "Preconditioning with Transcranial Direct Current Stimulation Sensitizes the Motor Cortex to Rapid-Rate Transcranial Magnetic Stimulation and Controls the Direction of After-Effects," Biol Psychiatry 2004;56:634-639, 2004 Society of Biological Psychiatry	
	NITSCHKE, Michael A. et al., "Level of action of cathodal DC polarisation induced inhibition of the human motor cortex," December 2, 2002, Clinical Neurophysiology 114 (2003) 600-604	
	NITSCHKE, Michael A., et al. "Facilitation of Implicit Motor Learning by Weak Transcranial Direct Current Stimulation of the Primary Motor Cortex in the Human," Journal of Cognitive Neuroscience 15:4, pp 619-626, 2003 Massachusetts Institute of Technology	
	PAULUS, W., "Supplements to Clinical Neurophysiology," Transcranial Magnetic Stimulation and Transcranial Direct Current Stimulation (Supplements to Clinical Neurophysiology, Vol 56), pp 249-254, 2003 Elsevier Science, B.V	
	Written Opinion for PCT/US02/07077; July 2003; Applicant: Vertis Neuroscience, Inc. (4 pgs)	
	Written Opinion for PCT/US02/31112; August 2003; Applicant: Vertis Neuroscience, Inc. (5 pgs)	
	Written Opinion for PCT/US02/31127; May 2003; Applicant: Vertis Neuroscience, Inc. (2 pgs)	
	Written Opinion for PCT/US02/32695; June 2003; Applicant: Vertis Neuroscience, Inc. (2 pgs)	
	Written Opinion for PCT/US03/03678; December 2003; Applicant: Northstar Neuroscience, Inc. (4 pgs)	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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